

- D35. Foamex LP
- D36. Foamex International Inc.;
- D37. FMXI, Inc.;
- D38. PMC, Inc.;
- D39. PMC Global, Inc.;
- D40. JBL Incorporated f/k/a James B. Lansing Sound, Incorporated d/b/a JBL Professional;
- D41. Essex Insurance Company;
- D42. Multi-State Inspections, Inc.;
- D43. High Caliber Inspections, Inc.;
- D44. Underwriters at Lloyd's, London;
- D45. Gresham & Associates of R.L., Inc.
- D46. Four Seasons Coach Leasing, Inc.,
- D47. through D58. "John Doe" defendants (being unknown defendants who manufactured, distributed, sold or installed non-flame-retardant foam or other defective products in use at The Station nightclub on February 20, 2003, who inspected the premises after installation of the foam but prior to February 20, 2003, who promoted, managed or produced the appearance of Great White at The Station nightclub on February 20, 2003, or who received property from Triton Realty-related persons or entities with intent to hinder, delay or defraud Plaintiffs).

Defendants

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### **PETITION FOR REMOVAL**

To: *The United States District Court for the District of Rhode Island*

1. Defendant, Diane DeRuosi, in her capacity as Treasurer of the Town of West Warwick, is a defendant in a civil action filed in the Providence County Superior Court entitled Albert L. Gray, Administrator, et al v. Jeffrey Derderian, et al, C.A. No. 04-3985. Certified copies of the record and Docket Sheets from the Providence County Superior Court are attached hereto as Exhibit A.

2. The aforesaid action was commenced with the filing of a Complaint with the

Providence County Superior Court and the undersigned counsel's acceptance of service of the instant Complaint on behalf of defendant. This complaint was filed and service accepted on July 22, 2004.

3. That the above described action, as stated in plaintiffs Complaint, is one of which this court has original jurisdiction pursuant to the provisions of 28 U.S.C. § 1369 and is one which may be removed to this court by the defendants pursuant to the provisions of 28 U.S.C. §1441(a)-(d).

Defendant Town of West Warwick,  
By its attorneys,



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CERTIFICATION OF SERVICE

I hereby certify that a true copy of the within was mailed, postage prepaid on this 23<sup>rd</sup> day of July 2004 to:

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